

THE HONORABLE JAMES L. ROBERT

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

CITY OF SEATTLE,

Defendant.

No. 2:17-cv-01282-JLR

**STIPULATED MOTION AND [PROPOSED]
ORDER TO AMEND BRIEFING
SCHEDULE IN RESPONSE TO THE
COURT'S ORDER TO SHOW CAUSE**

**NOTE ON MOTION CALENDAR:
December 7, 2018**

Plaintiff United States of America ("DOJ") hereby requests additional time to respond to the Court's December 3, 2018 Order to Show Cause Whether the Court Should Find That the City Has Failed to Maintain Full and Effective Compliance with the Consent Decree. (Dkt. 504) ("Show Cause Order"). As DOJ indicated when the tentative agreement between the Seattle Police Officer's Guild ("SPOG") and the City of Seattle was before this Court, once the final collective bargaining agreement between SPOG and the City of Seattle ("CBA") was signed, DOJ would engage in discussions with the City of Seattle and review related documents and information in order to assess the possibility of any impact of the CBA on the Consent Decree that governs this litigation. To that end, DOJ began requesting and receiving information from

1 the City immediately after the passage of the CBA. DOJ has also begun conversations with the
2 City about the Adley Shepherd arbitration decision, the status of its appeal, and its relationship to
3 the standards of review contained in the CBA. Indeed, much of the information being sought by
4 DOJ on these topics is the same information requested by the Court in its Show Cause Order. In
5 light of that, DOJ believes that being able to review the City's brief (to be filed on December 17,
6 2018) prior to providing its own analysis and position would allow for a more substantive and
7 informed response to the Court's questions. DOJ has conferred with the City and the Parties
8 agree that allowing the City to brief these issues first, with a responsive brief by DOJ, would
9 allow for the most sensible presentation to the Court. Thus, the City supports this request to
10 amend the briefing schedule, provided the City is permitted to file a reply brief within one week
11 of DOJ's response. Accordingly, DOJ respectfully requests that the Court extend DOJ's
12 deadline from being concurrently filed with the City's brief on December 17, 2018, to being
13 responsively filed on January 9, 2019, with a reply brief from the City due January 16, 2019.

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1 DATED this 7th day of December, 2018.

2 For the UNITED STATES OF AMERICA:

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5 Western District of Washington

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[PROPOSED] ORDER

The Parties having so stipulated, it is SO ORDERED.

DATED this ____ day of December, 2018.

HONORABLE JAMES L. ROBART
United States District Judge

CERTIFICATE OF SERVICE

I certify that on the 7th day of December, 2018, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following attorneys of record:

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DATED this 7^h day of December, 2018.

s/ Brittany Cirineo
Brittany Cirineo, Legal Assistant (Contractor)